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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,610	09/23/2003	Han Moon	3449-0274P	9760

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

DESIR, JEAN WICEL

ART UNIT PAPER NUMBER

2622

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,610

Applicant(s)

MOON, HAN

Examiner

Jean W. Désir

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/19/06 (Amendment).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 4-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al (US 6,766,528).

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Claim 1:

Kim discloses:

"means for requesting a guidance on a data broadcasting", see the ABSTRACT, col. 1 line 48, col. 3 line 53 to col. 4 line 5;

“means for receiving guidance information provided from an outside in response to the request”, see the ABSTRACT, col. 3 line 53 to col. 4 line 5;

“and means for notifying the received guidance information”, see col. 2 lines 33-37, col. 5 lines 48-56,

“wherein the guidance information is extracted while the data broadcasting is displayed”, see col. 3 line 53 to col. 4 line 5.

Claim 2 is disclosed, see Figs. 1, 2, item 101, col. 5 lines 59-60.

Claims 4-6 are disclosed, see col. 5 lines 35-40, col. 7 lines 4-9, col. 1 lines 18-23.

Claims 7, 8 are disclosed, see col. 5 lines 35-40, col. 7 lines 4-9.

Claim 9 is disclosed, see col. 2 lines 33-37, col. 5 lines 48-56.

Claim 10 is disclosed, see col. 5 lines 35-56, col. 7 lines 4-9.

Claim 11 is rejected for the same reasons as claim 1.

Claims 12, 13 are disclosed, see col. 2 lines 33-40, col. 3 line 53 to col. 4 line 5.

Claim 14 is disclosed, see col. 5 lines 35-40, col. 1 lines 18-23.

Claims 15, 16 are rejected for the same reasons as claims 7, 8.

Claim 17 is rejected for the same reasons as claim 2.

Claim 18 is rejected for the same reasons as claims 4, 5.

Claim 19 is disclosed, see col. 5 lines 41-60.

Claims 20, 21 are rejected for the same reasons as claims 9, 10.

Claim 22 is rejected for the same reasons as claim 11.

Claims 23, 24 are rejected for the same reasons as claims 12, 13.

Claim 25 is disclosed, see col. 5 lines 35-40, col. 7 lines 4-9.

Claim 26 is rejected for the same reasons as claim 17.

Claim 27 is disclosed, see col. 5 lines 35-40, col. 7 lines 4-9.

Claim 28 is disclosed, see col. 5 lines 41-60, col. 3 line 53 to col. 4 line 5.

Response to Arguments

3. Applicant's arguments have been fully considered but are moot in view of the new ground of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean W. Désir whose telephone number is (571) 272 7344. The examiner can normally be reached on 5/4/9 - First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272 7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD
Sep. 30, 06



DAVID LOMETZ
SUPERVISORY PATENT EXAMINER